

May 31, 2007

The Honorable Kevin J. Martin
Federal Communication Commission
445 12TH Street SW
Washington, DC 20554

RE: PS Docket No. 07-8; CC Docket No. 94-102; WT Docket Nos. 03-264; 06-150, 06-169 and 96-86; EB Docket No. 06-119

Dear Chairman Martin:

The New York State Professional Fire Fighters Association (NYSPFFA) represents approximately 25,000 members in various cities, villages and towns across the State of New York. We strive to improve the working conditions of fire fighters while imparting knowledge of modern and improved methods of fire fighting and fire prevention. Advanced communication is a critical component to the fire fighting and fire prevention.

The nation's communications systems supporting public safety are not interoperable and this is unacceptable. First responders have known for years that separate manufacturers' systems could not talk directly to each other. With the terrorist attacks on the World Trade Center, our nation learned the same. Then, *four years later*, in the aftermath of Katrina and Rita, the nation watched the men and women in public safety from across the country perform heroic efforts to protect and save lives. The nation also witnessed our communications system once again fail us. We cannot nor should not endure another disaster without a nationwide, interoperable, wireless, high-speed, broadband network supporting the men and women in public safety. With the upcoming 700 MHz auction, the time has come to provide public safety with the same communications tools available to commercial customers today. We deserve the same broadband technology and applications as lives depend on it.

The NYSPFFA joins our fellow professional fire fighters associations taking issue with those who would place commercial interests before

the interests of public safety. The auction of the 700 MHz spectrum block is public safety's last, best opportunity to achieve both operable and interoperable communications. We do not have sufficient spectrum and we do not have operable communications, let

-2-

alone interoperable communications. As a nation we have stood by for far too long as our communications system time and again failed our nation's first responders. The time has come to do what is right for public safety. Those who would rather keep the entire 700 MHz block for their own corporate interests are not focused on doing what is right for public safety.

The NYSPFFA respectfully requests the FCC:

- License public safety's spectrum to a stand alone entity consisting of public safety leaders who will control the network and ensure it will be built to the standards of reliability and redundancy that public safety requires while also ensuring that the needs of local and regional stakeholders are understood;
- Create and auction a 10MHz or larger "E Block" of the 700 MHz band;
- Require the winner of the auction of this E Block to have a binding agreement with public safety for its participation in the National Public Safety Broadband Network *before* receiving their license;
- Support a public/private partnership and provide public safety with the ability to build-out in rural and underserved areas;
- Ensure that public safety in charge of the National Public Safety Broadband Network and not subordinate to the E Block auction

winner as well as ensure that the National Public Safety Broadband Network stays competitive on the commercial side bringing the highest level of technology to public safety users;

- Ensure access to a satellite overlay to extend the reach of public safety's network;

-3-

The NYSPFFA thanks you, in advance, for your support. Together, we can and will save lives and protect property.

Sincerely,

Charles J. Morello
President

Cc: The Honorable Eliot L. Engel
The Honorable Vito Fossella
The Honorable Edolphus Towns
The Honorable Anthony D. Weiner
FCC Secretary Marlene H. Dortch
The Honorable Michael J. Copps
The Honorable Jonathan S. Adelstein
The Honorable Deborah Tate
The Honorable Robert M. McDowell